

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In re: Andrew and Vicki McDonald,	:	CASE NO. 16-15776-jkf
Debtors/Movants	:	CHAPTER 7
	:	
v.	:	Hearing Date: March 8, 2017
	:	Time: 9:30 AM
Ally Financial,	:	Court Room 3
Creditor Respondent, and	:	
	:	MOTION TO REDEEM
Christine Shubert, Esquire, Chapter 7 Trustee	:	PROPERTY

MOTION TO REDEEM PROPERTY

COMES NOW the Co-Debtor, Vicki McDonald, by and through her counsel, Robert G. Williamson, and moves the court pursuant to 11 U.S.C. §722 and Bankruptcy Rule 6008 for a Redemption Order on the following grounds:

1. The item to be redeemed is tangible personal property intended primarily for personal, family or household use, more particularly described as follows:
2015 Toyota Corolla L 4D Sedan VIN 2T1BURHE6FC377805
2. The interest of the Debtor in such property is exempt and the debt (which is secured by said property to the extent of the allowed secured claim of the Respondent) is a dischargeable consumer debt.
3. The allowed secured claim of said Creditor for purposes of redemption, the “redemption value”, should be determined to be not more than \$10,000.00.
4. Arrangements either will have been made by the Co-Debtor to pay to the said Creditor up to the aforesaid amount set forth hereinabove in paragraph 3; or she will prove the same at the hearing of this motion; or she will pay the same upon default of the above-named creditor to respond to this Motion as required by law or as ordered by the Court; in a lump sum, should this motion be granted. Moreover, the Debtors have agreed to borrow and disperse additional funds in the an amount not to exceed \$600.00 for the representation of the Debtors in securing, for the benefit of the Debtors, an order granting the Debtors the right to redeem under 11 U.S.C. 722 the above-described motor vehicle, such compensation being in addition to that previously disclosed and being for services rendered beyond the scope of the legal services to have been rendered for such compensation heretofore disclosed.

WHEREFORE, Debtor Vicki McDonald, requests the Court to order the Respondent Creditor, Ally Financial, to accept from the Debtors the lump sum payment of the redemption value and release its lien of record. In the event the said Creditor opposes this motion, the Debtors request the Court to determine the value of the property as of the time of the hearing of this motion.

Respectfully submitted,

/s/ Robert G. Williamson Date: 1/26/2017
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